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# Rous County Council

## MINUTES OF THE ORDINARY COUNCIL MEETING

21 April 2021

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### 1. OPENING OF THE MEETING

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Meeting commenced at 1.04pm

In attendance:

Councillors (at Molesworth Street, Administration Office, Lismore, NSW):

Keith Williams (Chair), Sharon Cadwallader (Deputy Chair), Basil Cameron and Vanessa Ekins.

Councillors (via Zoom link)

Sandra Humphrys, Robert Mustow and Simon Richardson.

Staff (at Molesworth Street, Administration Office, Lismore, NSW):

Phillip Rudd (General Manager), Guy Bezrouchko (Group Manager Corporate and Commercial), Helen McNeil (Group Manager People and Performance), Andrew Logan (Group Manager Planning and Delivery), Adam Nesbitt (Group Manager Operations), Noeline Smith (minute taker) and Luka Taylor (IT Support Officer).

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### 2. ACKNOWLEDGEMENT OF COUNTRY

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Council showed its respect and acknowledged the Traditional Custodians of the Land of all Elders past, present and emerging, on which this meeting took place.

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### 3. APOLOGIES AND LEAVE OF ABSENCE

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An apology was noted from Cr Darlene Cook (as advised at the previous Council meeting).

Cr Williams apologised for his behaviour during the 17 February 2021 Council meeting, and extended his regrets to Councillors, particularly to Cr Cadwallader, noting that on reflection his reaction at the meeting was inappropriate.

Cr Cadwallader accepted Cr Williams' apology.

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### 4. CONFIRMATION OF MINUTES

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#### i). Ordinary Council meeting 17 February 2021

**RESOLVED [12/21]** (Cadwallader/Mustow) that the minutes of the ordinary meeting held 17 February 2021 be confirmed as presented.

#### ii). Extraordinary Council meeting 17 March 2021

**RESOLVED [13/21]** (Cadwallader/Mustow) that the minutes of the Extraordinary Meeting held 17 March 2021 be confirmed as presented.

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## **5. DISCLOSURE OF INTEREST**

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General Manager declared a pecuniary, significant interest in relation to Confidential Item 11. iii). *Chair's Minute – General Manager's application for reappointment.*

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## **6. CHAIR'S MINUTE**

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### **i). General Manager's application for reappointment**

Noted this matter dealt with later in the meeting (*refer Item 11. iii*).

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## **7. GENERAL MANAGER REPORTS**

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Nil.

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## **8. GROUP MANAGER CORPORATE AND COMMERCIAL REPORTS**

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### **i). Endorsement of draft 'Rous County Council Innovate May 2021 – May 2023 Reconciliation Action Plan'**

**RESOLVED [14/21]** (Ekins/Cadwallader) that Council endorse the draft 'Rous County Council Innovate May 2021 to May 2023 Reconciliation Action Plan' as presented.

### **ii). 2020/21 Loan Borrowing**

**RESOLVED [15/21]** (Cadwallader/Cameron) that Council:

1. Call for expressions of interest from different financial institutions to borrow \$13,500,000 over 20 years at a fixed rate of interest for the St Helena upgrade.
2. Authorise the General Manager to negotiate with financial institutions to accept the best offer on the day that quotes are received.
3. Authorise associated loan documentation to be completed under Seal.

### **iii). Draft Delivery program | Operational plan and 2021/22 Budget**

**RESOLVED [16/21]** (Cadwallader/Cameron) that Council:

1. Approve the draft Delivery program | Operational plan and 'Revenue' policy attached to the report, for public exhibition.
2. Note that adjustments approved at this meeting as part of the March 2021 Quarterly Budget Review Statement report will be included in the exhibited document as appropriate.
3. As its June 2021 meeting:
  - a. Receive for information, public submissions (if any) lodged during the public consultation process and staff comment in respect to the submissions.
  - b. Receive for adoption the final draft Delivery program | Operational plan.

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**iv). Quarterly Budget Review Statement for the quarter ending 31 March 2021**

**MOVED** (Cadwallader/Cameron) that Council note the results presented in the Quarterly Budget Review Statement as of 31 March 2021 and authorise the variations to the amounts from those previously estimated.

**AMENDMENT** (Ekins/Cameron) that Council notes the results presented in the Quarterly Budget Review Statement as of 31 March 2021 and authorise the variations to the amounts from those previously estimated, excluding the change to the Perradenya footpath/cycleway and the proposal to move funds to the next financial year.

The **AMENDMENT** on being put to the meeting was **LOST**.

Voting against: Crs Mustow, Humphrys, Cadwallader, Williams, Cameron.

**RESOLVED [17/21]** (Cadwallader/Cameron) that Council note the results presented in the Quarterly Budget Review Statement as of 31 March 2021 and authorise the variations to the amounts from those previously estimated.

Voting against Cr Ekins.

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**9. POLICIES**

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**i). Investments**

**RESOLVED [18/21]** (Cameron/Cadwallader) that Council:

1. Revoke the Investments policy adopted on 15 April 2020 and any policy revived as a result of that revocation.
2. Adopt the proposed Investments policy attached to the report.

Voting against Cr Ekins.

**ii). Land Management**

**RESOLVED [19/21]** (Cadwallader/Ekins) that Council:

1. Revoke the following seven policies (copies attached) and any policies revived as a result of the revocation:
  - a) Ecologically Sustainable Development (RRCC) dated 14 December 2005.
  - b) Environmental policy (Rous Water) dated 17 September 2014.
  - c) Private Recreation, Community Events and Commercial Uses on Land Not Owned by Rous Water – Rocky Creek Dam Catchment (Rous Water) dated 20 June 2012.
  - d) Private Recreation, Community Events and Commercial Uses on Operational Land (Rous Water) dated 20 June 2012.
  - e) Protection of water catchment areas and recharge areas impacted by Pacific Highway upgrades (Rous Water) dated 15 November 2006.
  - f) On-site Wastewater Management in Water Supply Catchments (Rous Water) dated 21 December 2011.
  - g) Classification of Land (Rous Water) dated 16 February 2005.
2. Approve the attached 'Land Management' policy.

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## 10. INFORMATION REPORTS

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**RESOLVED [20/21]** (Cameron/Cadwallader) that Council receive and note the following information reports:

1. Investments – March 2021.
2. Fluoride Plant dosing performance report – January to March 2021 (Q1).
3. Audit, Risk and Improvement Committee – meeting update.
4. Reports/actions pending.

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## 11. CONFIDENTIAL REPORTS

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### MOVE INTO CLOSED COUNCIL

**RESOLVED [21/21]** (Cameron/Cadwallader) that Council move into Closed Council to consider the following matters and the meeting be closed to members of the public and press based on the grounds detailed below:

<b>1. Report</b>	<b>Appointment of Independent External Member – Audit Risk and Improvement Committee</b>
<b>Grounds for closure</b>	Section 10A(2)(a) personnel matters concerning particular individuals (other than councillors).
<b>2. Report</b>	<b>Update: St Helena finance facility - NSW TCorp</b>
<b>Grounds for closure</b>	Section 10A(2)(d) commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it.
<b>3. Report</b>	<b>Chair's Minute: General Manager's application for reappointment</b>
<b>Grounds for closure</b>	Section 10A(2)(a) personnel matters concerning particular individuals (other than councillors).

### RESUME TO OPEN COUNCIL

**RESOLVED [22/21]** (Cadwallader/Ekins) that Council move to Open Council.

The General Manager read to the meeting the following resolutions of Council:

**i). Appointment of Independent External Member – Audit Risk and Improvement Committee**

**RESOLVED [23/21]** (Cadwallader/Cameron) that Council appoint Andrew MacLeod as Independent External Member of Council's Audit, Risk and Improvement Committee for a term of four (4) years.

**ii). Update: St Helena finance facility – NSW TCorp**

**RESOLVED [24/21]** (Cadwallader/Cameron) that Council:

1. Receive and note the terms and conditions referred to in the report.
2. Endorse the inclusion of TCorp in Council's upcoming loan tender process.

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The Chairperson read to the meeting the following resolution of Council:

**iii). Chair's Minute: General Manager's application for reappointment**

**RESOLVED [25/21]** (Williams/Cadwallader) that:

1. Mr. Phillip Rudd be offered re-appointment to the position of General Manager of Rous County Council for a period of 5 years from 28 April 2021.
2. Schedule C (Remuneration) referred to in Section 8 of the contract be varied in consultation with Mr. Rudd so that the total remuneration package is \$268,000.00.
3. Authority is hereby given for the execution of the contract under Council's Common Seal.

*Cr Richardson left the meeting at 3.15pm.*

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**12. MATTERS OF URGENCY**

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Nil.

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**13. QUESTIONS ON NOTICE**

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Nil.

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**14. CLOSE OF BUSINESS**

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There being no further business the meeting closed at 3.37pm.